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Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
		09/903,138	GREENE ET AL.				
Office Action Su	mmary	Examiner -	Art Unit				
		Mitra Kianersi	2145				
The MAILING DATE of Period for Reply	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) Responsive to commun	Responsive to communication(s) filed on 11 July 2001.						
2a) This action is FINAL.	This action is FINAL . 2b)⊠ This action is non-final.						
· · · · · · · · · · · · · · · · · · ·	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims			•				
4a) Of the above claim(s 5) ☐ Claim(s) is/are a 6) ☑ Claim(s) <u>1-31</u> is/are reje 7) ☐ Claim(s) is/are o	 ✓ Claim(s) 1-31 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. ☐ Claim(s) is/are allowed. ☑ Claim(s) 1-31 is/are rejected. ☐ Claim(s) is/are objected to. ☐ Claim(s) are subject to restriction and/or election requirement. 						
Application Papers							
9) The specification is obje	cted to by the Examine	г.					
10)⊠ The drawing(s) filed on ∑	0)⊠ The drawing(s) filed on <u>11 July 2001</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.						
, , , , , , , , , , , , , , , , , , , ,	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 							
Attachment(s)							
 Notice of References Cited (PTO-89) Notice of Draftsperson's Patent Draftsperson's Patent Draftsperson 		4) 🔲 Interview Summary Paper No(s)/Mail Da					
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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 10-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Nielsen (US Patent No. 5,826,031).

1. As per claim 1, a method for facilitating attention to a communication, (facilitating communication between host computer system 100 and server(s) 150, col 6, lines 38-40) comprising:

associating a quantity of at least one attention unit to a first entity; (the method retrieves a file and sorts one or more information element references according to a priority attribute associated with each reference. Col 3, lines 6-9) allowing said first entity to provide a communication to a second entity, wherein said communication has an associated number of at least one attention unit and at least one associated criterion; and (If HTML was merely made up of the document, paragraph, and character formatting tags discussed above, it would only allow an author to define a document which stands by itself. Fortunately, additional HTML tags allow an author to "link" documents together. If a reader of a hypertext document wants to know more about a topic before reading the rest of the current hypertext document, the reader selects a "link" or "hot link", which retrieves and displays a new document that provides related information. (FIG. 4 illustrates a hypertext document (i.e., a "source document") on Thomas Jefferson with a hot link named "the American Constitution". The link could take the reader to a second hypertext document (i.e., a "destination document") which, for example, displays the text of the American

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Constitution or which provides more information on Thomas Jefferson's role in the drafting of the American Constitution, col 5, lines 16-32).

changing a number of attention units associated with at least one of said first entity and said second entity when said criterion is satisfied. (When the user starts the browser, the previous total incoming bandwidth number is read from the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1).

- 2. As per claim 10, the method further comprising: confirm completion of said criterion prior to said changing said second entity's attention units. (When the user quits the browser, the current total incoming bandwidth number is stored in a preference file. When the user starts the browser, the previous total incoming bandwidth number is read from the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1)
- 3. As per claim 11, the method further comprising: associating said criterion with said communication. (the method retrieves a file and sorts one or more information element references according to a priority attribute associated with each reference, col 3, lines 1-4)
- 4. As per claim 12, the method further comprising: allocating a plurality of attention units among a plurality of entities, said plurality of entities including said first entity and said second entity, wherein each of said entities in said plurality of entities is allocated zero or more attention units, wherein said allocating includes said associating a quantity of at least one attention unit to a first entity. (the web object references are sorted using a two-step process. In the first step, the web object references are ordered into an initial list and are assigned a sequence number according to the sequence of their appearance in the file. The list is then

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reordered by descending priority level as a primary sort key and by ascending sequence number as a secondary sort key. In this way objects with a higher priority will be sorted to the top of the list and objects with the same priority will be sorted such that the objects referenced early in the web file are sorted above those objects referenced later in the file, col 1, lines 64-67 and col 2, lines 1-7).

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- 5. As per claim 13, the method, further comprising: allowing an entity from said plurality of entities to acquire additional attention units. (The method then determines a minimum rate of the available incoming bandwidth and the available outgoing bandwidth. The method then accepts data associated with the next information element at a rate corresponding to a selected increment over the minimum rate. In this way, the overall rate of retrieval is increased. Col 2, lines 17-23)
- 6. As per claim 14, the method further comprising: evaluating an entity from said plurality of entities based, at least in part, on a number of attention units associated with said entity. The method then determines a minimum rate of the available incoming bandwidth and the available outgoing bandwidth. The method then accepts data associated with the next information element at a rate corresponding to a selected increment over the minimum rate. In this way, the overall rate of retrieval is increased. Col 2, lines 17-23)
- 7. As per claim 15, the method further comprising: providing a benefit to an entity from said plurality of entities based, at least in part, on a number of attention units associated with said entity. (the web objects are retrieved in parallel in order to decrease retrieval time. First, the method determines whether at least one web object is currently being retrieved. If an object is currently being retrieved then the following steps are preferably followed to facilitate parallel retrieval of another web object. The method obtains an indication of an available rate of outgoing bandwidth to the server computer storing the web object. The method then

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determines a minimum rate of the available incoming bandwidth and the available outgoing bandwidth. The method then accepts data associated with the next information element at a rate corresponding to a selected increment over the minimum rate. In this way, the overall rate of retrieval is increased. Col 2, lines 8-24)

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- 8. As per claim 16, the method further comprising at least one of the following: establishing a maximum number of attention units can be associated with said first entity; (Once the HTML template has been established, text is added to create a basic hypertext document. In order to improve readability, the author adds HTML character and paragraph formatting tags to the document. For example, the &It;p> tag instructs the browser to begin a new paragraph. If an author wants to highlight some text in bold, the author inserts the &It;b> tag at the beginning of the text to be highlighted and inserts a &It;/b> tag at the end of the text to be highlighted. Col 5, lines 6-14)
- 9. As per claim 17, the method further comprising at least one of the following receiving data indicative of said associated number of at least one attention unit; receiving a communication from said first entity, wherein said communication includes data indicative of said associated number of at least one attention unit; establishing a minimum number of attention units that can be associated with said communication; (the web objects are retrieved in parallel in order to decrease retrieval time. First, the method determines whether at least one web object is currently being retrieved. If an object is currently being retrieved then the following steps are preferably followed to facilitate parallel retrieval of another web object. The method obtains an indication of an available rate of incoming bandwidth to the client computer and also obtains an indication of an available rate of outgoing bandwidth to the server computer storing the web object. The method then determines a minimum rate of the available incoming bandwidth and the available outgoing bandwidth. The method then accepts data associated with the next information element at a rate corresponding to a

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selected increment over the minimum rate. In this way, the overall rate of retrieval is increased. Col 2, lines 17-23)

- 10. As per claim 18, the method, wherein said criterion is associated with said communication by default. (By default, http connects at port 80. Ports are only needed when the server does not communicate on the default port for that service. Col 5, lines 62-64)
- 11. As per claim 19, the method, wherein said changing said second entity's attention units includes increasing said second entity's attention units by said number of at least one attention unit.(In step 703, the browser preferably sorts the list by descending priority as the primary sort key and ascending sequence number as the secondary sort key. Thus, objects with a high priority will be sorted on top and objects with the same priority will be sorted such that the ones that are referenced early in the web file are sorted above those that are referenced later in the web file. Col 7, lines 27-33)
- 12. As per claim 20, the method further comprising: decreasing said quantity of attention units by said number of at least one attention (In step 703, the browser preferably sorts the list by descending priority as the primary sort key and ascending sequence number as the secondary sort key. Thus, objects with a high priority will be sorted on top and objects with the same priority will be sorted such that the ones that are referenced early in the web file are sorted above those that are referenced later in the web file. Col 7, lines 27-33)
- 13. As per claim 21, the method further comprising: establishing an expiration date for at least a portion of said quantity of at least one attention unit. The kernel of an operating system is that portion of the operating system which manages the interface between computer processes (e.g., web browser

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108) and user-input devices 130 and computer display devices 120, manages primary storage 104, schedules computer processes for execution, and maintains a file system which in turn manages storage of data (e.g., web file 110) on various storage elements of primary storage 104. col 4, lines 22-29)

- 14. As per claim 22, the method further comprising: maintaining a count of attention receipt units associated with said second entity. recalculating this number once every second (steps 809 & 811) until all packets for the next object have been retrieved (step 813). Col 7, lines 55-57)
- 15. As per claim 23, the method, further comprising:

 Receiving a notification of a completion of said criterion. (When the user quits the browser, the current total incoming bandwidth number is stored in a preference file.

 When the user starts the browser, the previous total incoming bandwidth number is read from the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1)
- 16. As per claim 24, the method further composing: receiving a notification of a dispute regarding completion of said criterion. (When the user quits the browser, the current total incoming bandwidth number is stored in a preference file. When the user starts the browser, the previous total incoming bandwidth number is read from the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1)
- 17. As per claim 25, the method further comprising at least one of the following: establishing an exchange for the transfer of attention units; allowing said first entity to run a deficit number of attention units; allowing said first entity to earn at least one attention unit; allowing said first entity to purchase at least one attention unit; allowing said first entity to purchase at least one attention unit; allowing said first entity to sell at least one attention unit; allowing said first entity to borrow at least one attention unit;

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allowing said first entity to lend at least one attention unit; allowing said first entity to transfer at least one attention unit; (a method conceived to be a self-consistent sequence of steps leading to a desired result. These steps require physical manipulations of physical quantities. Usually, though not necessarily, these quantities take the form of electrical or magnetic signals capable of being stored, transferred, combined, compared, and otherwise manipulated. It proves convenient at times, principally for reasons of common usage, to refer to these signals as bits, values, elements, symbols, characters, terms, numbers, or the like. Col 2, lines 32-41)

18. As per claim 26, a method for facilitating attention to a communication, comprising:

associating a first quantity of at least one attention unit to a first entity and the method retrieves a file and sorts one or more information element references according to a priority attribute associated with each reference. (A second quantity of zero or more attention units to a second entity, and (The PRIORITY attribute should be set equal to a number (either negative, positive, or zero). If the value of a PRIORITY attribute is not a number then the browser 108 assumes that the priority of that embedded object is zero, col 6, lines 24-27).

changing at least one of said first quantity of attention units or said second quantity of attention units based, at least in part, on said second entity's handling of a communication received by said second entity from said first entity. (the web objects are retrieved in parallel in order to decrease retrieval time. First, the method determines whether at least one web object is currently being retrieved. If an object is currently being retrieved then the following steps are preferably followed to facilitate parallel retrieval of another web object. The method obtains an indication of an available rate of incoming bandwidth to the client computer and also obtains an indication of an available rate of outgoing bandwidth to the server computer storing the web object. The method then determines a minimum rate of the available incoming bandwidth and the available outgoing bandwidth. The method then accepts data associated with the next information element at a rate corresponding to a selected increment over the minimum rate. In this way, the overall rate of retrieval is increased. Col 2, lines 17-23)

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- 19. As per claim 27, the method of claim 26, wherein said changing at least one of said first quantity of attention units or said second quantity of attention units includes increasing said second quantity of attention units by a number of attention units associated with said communication. (the web objects are retrieved in parallel in order to decrease retrieval time. First, the method determines whether at least one web object is currently being retrieved. If an object is currently being retrieved then the following steps are preferably followed to facilitate parallel retrieval of another web object. The method obtains an indication of an available rate of incoming bandwidth to the client computer and also obtains an indication of an available rate of outgoing bandwidth to the server computer storing the web object. The method then determines a minimum rate of the available incoming bandwidth and the available outgoing bandwidth. The method then accepts data associated with the next information element at a rate corresponding to a selected increment over the minimum rate. In this way, the overall rate of retrieval is increased. Col 2, lines 17-23)
- 20. As per claim 28, the method wherein said changing at least one of said first quantity of attention units or said second quantity of attention units includes decreasing said first quantity of attention units by said number of attention units associated with said communication. (the web objects are retrieved in parallel in order to decrease retrieval time. First, the method determines whether at least one web object is currently being retrieved. If an object is currently being retrieved then the following steps are preferably followed to facilitate parallel retrieval of another web object. The method obtains an indication of an available rate of incoming bandwidth to the client computer and also obtains an indication of an available rate of outgoing bandwidth to the server computer storing the web object. The method then determines a minimum rate of the available incoming bandwidth and the available outgoing bandwidth. The method then accepts data associated with the next information element at a rate corresponding to a

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selected increment over the minimum rate. In this way, the overall rate of retrieval is increased. Col 2, lines 17-23)

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21. As per claim 29, the method, wherein said handling of said communication includes at least one of the following.

said second entity satisfying said communication; and (When the user starts the browser, the previous total incoming bandwidth number is read from the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1).

said second entity completing a criterion associated with said communication. (When the user quits the browser, the current total incoming bandwidth number is stored in a preference file. When the user starts the browser, the previous total incoming bandwidth number is read from the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1)

22. As per claim 30, a system for facilitating attention to a communication, comprising: a memory; (randomly accessible memory (RAM), Col 3, line 48) a communication pod; (Continuing with the discussion of FIG. 1, computer network 10 also includes a network connection 145 for facilitating communication between host computer system 100 and server(s) 150. Network connection 145 can be any well know mechanism for facilitating communication between computers, such as, without limitation, a local area network, a wide area network, the Internet, or any of the well known wireless communication systems. Col 6, lines 38-45)

a processor connected to said memory and said commemoration port, (Computer system 100 includes a processor 102 which fetches computer instructions from a primary storage 104 or a cache 105 through a bus 106 and executes those computer instruction. Col 3, lines 33-36)

Processor being operative to: associate a quantity of at least one attention unit to a first entity, allow said first entity to provide a communication to a second entity, (transfer

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data to other computer systems which collectively form a computer network, col 3, lines 41-42) communication including an associated number of at least one attention unit and at least one associated criterion; and change a number of attention units associated with at least one of said first entity and said second entity when said criterion is satisfied. (When the user quits the browser, the current total incoming bandwidth number is stored in a preference file. When the user starts the browser, the previous total incoming bandwidth number is read from the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1)

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23. As per claim 31, a computer program product in a computer readable medium for facilitating attention to a communication, comprising:

entity, second instructions for enabling an amount of at least one attention unit to a first entity, second instructions for enabling said first entity to send a communication to a second entity having an associated number of at least one attention unit and an associated criterion; (If HTML was merely made up of the document, paragraph, and character formatting tags discussed above, it would only allow an author to define a document which stands by itself. Fortunately, additional HTML tags allow an author to "link" documents together. If a reader of a hypertext document wants to know more about a topic before reading the rest of the current hypertext document, the reader selects a "link" or "hot link", which retrieves and displays a new document that provides related information. (FIG. 4 illustrates a hypertext document (i.e., a "source document") on Thomas Jefferson with a hot link named "the American Constitution". The link could take the reader to a second hypertext document (i.e., a "destination document") which, for example, displays the text of the American Constitution or which provides more information on Thomas Jefferson's role in the drafting of the American Constitution, col 5, lines 16-32).

third instructions for altering a number of attention units associated with at least one of said first entity and said second entity said second criterion is satisfied. (When the user starts the browser, the previous total incoming bandwidth number is read from

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the preference file and used as the total incoming bandwidth for the current session until the first measure is available from the current session, Table 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (US. Patent No. 5,826,031) and further in view of Boehmke (US Pub No. 2002/0120765)

As per claim 2, the method wherein communication comprises an email 24. message. Although, Nielsen teach facilitating communication, but fails to teach the email message, However, Boehmke teach a method of real-time information associated with a telecommunication network where r=email address or fax number of recipient [0225]) and cp=email address or fax number of person to copy [0226]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the invention of Boehmke and Nielsen because, many users access the World Wide Web through low-bandwidth connections, resulting in slow receipt of web pages (i.e., "the response time problem"). Even though bandwidth is expected to grow in coming years, the file size of multimedia and virtual reality objects will most likely grow at least as fast as the increase in bandwidth. Therefore, from a user's perspective, the response time problem will not go away. Current web browsers exacerbate the response time problem because they retrieve the objects on a web page in the sequence in which they are listed a web file that defines the web page (e.g., an HTML file). Since the objects in most web files are not sequentially ordered within the file on the basis of their relative importance to the other objects in the file, current web

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browsers will not retrieve web objects in the order of their relative importance. For example, a web page often starts with a header bar that is comparatively unimportant and should be downloaded last. Using today's browsers, however, the header bar would instead be downloaded first providing a more flexible approach to ameliorating the response time problem by downloading web objects based on a priority attribute associated with each object reference in the web file.

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- 25. As per claim 3, Boehmke disclose the method wherein said criterion includes at least one of the following: satisfying a request included in said communication; (In use, a user operating the general-purpose computer 18 sends a request to access the one or more computer software programs 20 from the application server 12. Such computer software programs 20 can then be delivered to the general-purpose computer 18, the shared
- programs 20 can then be delivered to the general-purpose computer 18, the shared server 14, the database server 16 or the workstation 26 for execution thereon. [0049]) said second entity receiving said email message; said second entity opening said email message; said second entity responding to said email message; said second entity saving said email message; and said second entity forwarding said email message. (the step is inherent, because as soon as the second entity receive the email message, it must open it, respond to it, save it and forward it to facilitate the communication)
- 26. As per claim 4, Boehmke disclose a method wherein said communication comprises a meeting request. (deployment project team members are generally unaware of the status of the deployment project until a meeting is held, [0018]).
- 27. As per claim 5, Boehmke disclose a method wherein said criterion includes at least one of the following:

satisfying a request included in said communication. (In use, a user operating the general-purpose computer 18 sends a request to access the one or more computer software programs 20 from the application server 12. Such computer software programs 20 can then be delivered to the general-purpose computer 18, the shared server 14, the database server 16 or the workstation 26 for execution thereon. [0049])

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said second entity receiving said meeting request, said second entity opening said meeting request, said second entity responding to said meeting request, said second entity accepting said meeting request, and said second entity forwarding said meeting request. (the step is inherent, because as soon as the second entity receive the email message, it must open it, respond to it, save it and forward it to facilitate the communication)

- 28. As per claim 6, Boehmke disclose a method wherein said communication comprises a voicemail message. If an employee drops a call or has a problem with a call, they can dial *888 and leave a voicemail message regarding what the problem was. [0121])
- 29. As per claim 7, Boehmke disclose a method wherein said criterion includes at least one of the following.

satisfying a request included in said communication; (In use, a user operating the general-purpose computer 18 sends a request to access the one or more computer software programs 20 from the application server 12. Such computer software programs 20 can then be delivered to the general-purpose computer 18, the shared server 14, the database server 16 or the workstation 26 for execution thereon. [0049]) said second entity receiving said voicemail message; said second entity playing said voicemail message; said second entity responding to said voicemail message;said second entity saving said voicemail message; and said second entity forwarding said voicemail message. (the step is inherent, because as soon as the second entity receive the email message, it must open it, respond to it, save it and forward it to facilitate the communication)

- 30. As per claim 8, Boehmke disclose a method, wherein said communication comprises a telephone call. (For example, one such study uses a special telephone line, for example a *123 line, which is a real-time traffic report line installed in a specific geographic region).
- 31. As per claim 9, Boehmke disclose a method wherein said criterion includes at least one of the following:

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satisfying a request included in said communication. (In use, a user operating the general-purpose computer 18 sends a request to access the one or more computer software programs 20 from the application server 12. Such computer software programs 20 can then be delivered to the general-purpose computer 18, the shared server 14, the database server 16 or the workstation 26 for execution thereon. [0049]) said second entity receiving said telephone call; said second entity answering said telephone call; and said second entity responding to said telephone call. (the step is inherent, because as soon as the second entity receive the email message, it must open it, respond to it, save it and forward it to facilitate the communication)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272-3915. The examiner can normally be reached on 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin Wallace can be reached on (571) 272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mitra Kianersi Feb/04/2005 N. Martin Wallace V. MARTIN WALLACE Supervisory Patent Examiner